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FM AMEMBASSY NAIROBI
TO RUEHC/SECSTATE WASHDC IMMEDIATE 0028
INFO RUEHDS/AMEMBASSY ADDIS ABABA PRIORITY 8260
RUEHDR/AMEMBASSY DAR ES SALAAM PRIORITY 4503
RUEHDJ/AMEMBASSY DJIBOUTI PRIORITY 4004
RUEHKM/AMEMBASSY KAMPALA PRIORITY 1170
RUEHLO/AMEMBASSY LONDON PRIORITY 1880
RUEHFR/AMEMBASSY PARIS PRIORITY 1859
RUEHPL/AMEMBASSY PORT LOUIS PRIORITY 1643
RHMFISS/CDR USCENTCOM MACDILL AFB FL PRIORITY
RHMFISS/CJTF HOA PRIORITY

C O N F I D E N T I A L NAIROBI 000973

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E.O. 12958: DECL: 03/02/2026
TAGS: [PHUM](#) [PGOV](#) [PREL](#) [KDEM](#) [ASEC](#) [KE](#)
SUBJECT: KENYAN MEDIA CRACKDOWN: PUBLIC OUTRAGED,
GOVERNMENT DIVIDED

REF: NAIROBI 945

Classified By: PolCouns Michael J. Fitzpatrick.
Reasons 1.4 (b,d)

¶1. (C) SUMMARY: Public fury and disgust mounted with official confirmation that Kenyan police conducted the March 2 raids against the Standard Media Group. Senior government officials are split in their reactions, ranging from condemnation to brashly unapologetic. The flimsy official explanation that the Standard had information which posed a threat to national security convinces no one. The Internal Security Minister's actions reveal instead the insidious (and disturbing) tribal roots of the government's gross overreaction to the Standard's assertion that President Kibaki met with an opposition (non-Kikuyu) leader. END SUMMARY.

GOVERNMENT ADMITS IT

¶2. (C) Following hours of public speculation and governmental denial, official Kenya owned up to the raids on opposition media outlets (reftel). Kenya Police issued a statement March 2 acknowledging that its agents had "conducted an operation" against the Standard Group, to "collect evidence of an intended act whose perpetuation would have posed a threat to national security." The release further asserted that the Standard, lured by a bribe, intended to "incite ethnic hate and animosity." Despite his early March 2 disclaimer of any government role in the raid, Information Minister Mutahi Kagwe later the same day officially confirmed the government hand in the incident. He however, quickly shifted gears to argue that this was an occasion to pursue with renewed vigor a media bill. Kagwe's official statement came after Internal Security Minister John Michuki's unapologetic reproach to the press March 2 that if one "rattles a snake, he should be prepared to be bitten." (Note: The powerful Michuki is Kagwe's father-in-law, a fact which obviously puts the journalist-turned-Information-Minister in a tough spot, personally and professionally. End Note.)

¶3. (C) Disassociating themselves with the incident, five sitting ministers (all non-Kikuyu), publicly denounced the raids. In a March 2 conversation with the Ambassador, Kibaki's strategic policy adviser Stanley Murage acknowledged

there had been no cabinet consultation prior to the police actions, and that Michuki had orchestrated it. Police Commissioner Ali, reached in the Seychelles, claimed no knowledge of the raids or the reasons for them. President Kibaki has been characteristically silent, rebuffing all requests for comment. Ironically, his own event, the March 2 launch of the National Anti-Corruption Campaign Steering Committee, and the announcement of his support for ministers making public wealth declarations, has been largely ignored, drowned out by his own minister's actions.

UNITED IN DISMAY

14. (C) The attack on free media has prompted a flood of condemnation from civil society, opposition politicians, and foreign donors. Over 20 civil society organizations, joined by members of the public, participated in a protest march through downtown Nairobi. The Kenya Human Rights Commission described the mood to Poloff as "utterly fed up with the government." The Kenya National Commission on Human Rights immediately launched its own investigation into what it sees as the latest event in a systematic pattern of efforts to decrease political space. The Media Owner's Association demanded an explanation for the "high-handed action," joined by the Foreign Correspondent's Association of East Africa, which questioned the government's commitment to press freedom. Opposition Orange Democratic Movement (ODM) declared that the government had now "lost all claims to legitimacy," calling it the "end of the Kibaki administration's ability to rule democratically." In addition to the Embassy's statement protesting the raid, post joined 26 other diplomatic missions in signing a separate document condemning the act. Klaus Toepfer, UN Undersecretary-General in Nairobi, cited the Universal Declaration of Human Rights in criticizing the manner in which the government handled its grievance against the Standard. (Full text of key statements to follow septel.)

15. (C) Media members shared with PAO and IO their appreciation for the Embassy's strong stand and their own commitment to standing up to intimidation. Managing editor of the leading Nation Media Group noted its own vulnerability for having broken the news on the massive Anglo Leasing corruption scandal. The managing director of the government's own Kenya Broadcasting Company remarked that he had been under "mild" pressure not to make the government look bad, but refused to back down from reporting this story.

POLITICS, NOT LAW AND ORDER

16. (C) The police actions nonetheless yielded minimal direct effect on the Standard's operations. Within hours of the raids - which were carried out without an arrest warrant or court order - copies of that day's Standard were on doorsteps, and KTN (the Standard's television arm) was back on the air. The three Standard journalists arrested February 28 (reftel) were released on bail after 53 hours in custody. They had been charged with the misdemeanor of printing an alarming story. And the government, of course, still has the captured hard drives. What lingers, thus, is the impression that the raids were simply indefensible political intimidation, and the psychological effect that may have on Kenyan journalists' reporting.

COMMENT

17. (C) The assault on the Standard Group brings front and center several troubling trends in the Kibaki government: the open contempt for rule of law with which Internal Security Minister Michuki is allowed to operate, the lack of the most elementary coordination among ministers, and the debilitating extent to which the government is running on tribal adrenaline. Having alienated other tribes, the government is perched on the Kikuyu legs of its ever-narrowing support base, fed by paranoia over the perceived political threat

from the (pro-Kalenjin, pro-Luo, and pro-Raila Odinga) Standard Group. Despite efforts to disguise the raids as saving the country from destabilizing ethnic unrest, the police action has only served to further divide the government, fuel public outrage, and increase donor disappointment. The latter will likely result in reconsideration of some forms of support - a message the Ambassador conveyed to Justice Minister Martha Karua in their March 3 meeting.

BELLAMY